

(5) **LABOR ORGANIZATION.**—The term “labor organization” has the meaning given the term in section 2 of the National Labor Relations Act (29 U.S.C. 152).

(b) **REQUIREMENT.**—Notwithstanding any other provision of law or regulation, a covered entity that receives assistance provided under the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) as a recipient or subrecipient shall, not later than 30 days after receiving the assistance, request a statement of intent from the managers of the covered entity that would expressly declare the intent of the managers to comply, or not to comply, with a requirement that the pensions of firefighters not be invested based on ESG criteria.

(c) **SUBMISSION TO FEMA.**—Not later than 90 days after receiving a request under subsection (b), the managers of the covered entity shall submit to the Administrator the statement of intent described in subsection (b).

(d) **SUBMISSION TO CONGRESS.**—Upon receipt of a statement of intent under subsection (c), the Administrator shall submit to the Committee on Homeland Security and Governmental Affairs of a Senate a statement detailing which managers of covered entities do not intend to comply with the requirement described in subsection (b).

**SA 65.** Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 870, to amend the Federal Fire Prevention and Control Act of 1974 to authorize appropriations for the United States Fire Administration and firefighter assistance grant programs; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. \_\_\_\_ . BUREAU OF LAND MANAGEMENT AND FOREST SERVICE RULE.**

(a) **DEFINITIONS.**—In this section:

(1) **ANALYSIS.**—The term “analysis” means any analysis with respect to a proposed action covered by the rule issued under subsection (b) that the Director of the Bureau of Land Management or the Chief of the Forest Service, as applicable, determines to be necessary for the consideration of the proposed action under Federal law, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(2) **FEDERAL LAND.**—the term “Federal land means”—

(A) land of the National Forest System (as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a))); and

(B) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)).

(b) **ISSUANCE OF RULE.**—Subject to subsection (d), not later than 1 year after the date of enactment of this Act, the Director of the Bureau of Land Management and the Chief of the Forest Service, acting jointly, shall issue a rule identifying actions described in subsection (c) that, except in extraordinary circumstances, as described in the rule, are categorically excluded from requirements for environmental assessments or environmental impact statements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(c) **DESCRIPTION OF ACTION.**—An action referred to in subsection (b) is an action that may be routinely undertaken on Federal land without fear of significant environmental impact to protect personal property on or adjacent to the Federal land from wildfire, including creating fire breaks capable of ensuring the protection of property.

(d) **REQUIREMENTS.**—A rule issued under subsection (b) shall provide that—

(1) any person possessing applicable property may provide to the head of the applicable Federal agency undertaking the analysis all, or a portion of, the amounts necessary to complete the analysis;

(2) any person possessing applicable property, or an agent of that person—

(A) may prepare an analysis of a proposed action covered by the rule; and

(B) if approved by the Federal agency in accordance with paragraph (3), may carry out the proposed action;

(3) the head of an applicable Federal agency shall review the analysis prepared by a person possessing applicable property under paragraph (2)(A) to determine whether the proposed action is eligible for a categorical exclusion under the rule, and if the head of the Federal agency finds in the affirmative, shall approve the analysis; and

(4) any person carrying out an action covered by the rule on Federal land shall be liable for impacts to resources resulting from—

(A) activities not described in the applicable analysis; or

(B) any negligent activity of the person.

**SA 66.** Mr. LEE submitted an amendment intended to be proposed by him to the bill S. 870, to amend the Federal Fire Prevention and Control Act of 1974 to authorize appropriations for the United States Fire Administration and firefighter assistance grant programs; which was ordered to lie on the table; as follows:

At the end, add the following:

**SEC. \_\_\_\_ . BUREAU OF LAND MANAGEMENT AND FOREST SERVICE RULE.**

(a) **DEFINITIONS.**—In this section:

(1) **ANALYSIS.**—The term “analysis” means any analysis with respect to a proposed action covered by the rule issued under subsection (b) that the Director of the Bureau of Land Management or the Chief of the Forest Service, as applicable, determines to be necessary for the consideration of the proposed action under Federal law, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(2) **FEDERAL LAND.**—the term “Federal land means”—

(A) land of the National Forest System (as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a))); and

(B) public lands (as defined in section 103 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1702)).

(3) **FIREBREAK.**—The term “firebreak” means a permanent or temporary strip of ground cleared of vegetation, thinned of vegetation, or planted with fire-resistant vegetation intended to stop the spread of fire.

(b) **ISSUANCE OF RULE.**—Subject to subsection (d), not later than 1 year after the date of enactment of this Act, the Director of the Bureau of Land Management and the Chief of the Forest Service, acting jointly, shall issue a rule identifying actions described in subsection (c) that, except in extraordinary circumstances, as described in the rule, are categorically excluded from requirements for environmental assessments or environmental impact statements under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(c) **DESCRIPTION OF ACTION.**—An action referred to in subsection (b) is an action that may be routinely undertaken on Federal land without fear of significant environmental impact to protect personal property

on or adjacent to the Federal land from wildfire, including creating firebreaks capable of ensuring the protection of property.

(d) **REQUIREMENTS.**—A rule issued under subsection (b) shall provide that—

(1) any person possessing applicable property may provide to the head of the applicable Federal agency undertaking the analysis all, or a portion of, the amounts necessary to complete the analysis;

(2) any person possessing applicable property, or an agent of that person—

(A) may prepare an analysis of a proposed action covered by the rule; and

(B) if approved by the Federal agency in accordance with paragraph (3), may carry out the proposed action;

(3) the head of an applicable Federal agency shall review the analysis prepared by a person possessing applicable property under paragraph (2)(A) to determine whether the proposed action is eligible for a categorical exclusion under the rule, and if the head of the Federal agency finds in the affirmative, shall approve the analysis; and

(4) any person carrying out an action covered by the rule on Federal land shall be liable for impacts to resources resulting from—

(A) activities not described in the applicable analysis; or

(B) any negligent activity of the person.

**SA 67.** Mr. SCOTT of Florida submitted an amendment intended to be proposed by him to the bill S. 870, to amend the Federal Fire Prevention and Control Act of 1974 to authorize appropriations for the United States Fire Administration and firefighter assistance grant programs; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . TRANSFER OF UNOBLIGATED COVID FUNDS.**

(a) **COVERED FUNDS.**—The term “covered funds” means amounts made available under—

(1) the Coronavirus Relief Fund established under section 601 of the Social Security Act (42 U.S.C. 801); and

(2) the Coronavirus State and Local Fiscal Recovery Fund programs established under section 602 or 603 of the Social Security Act (42 U.S.C. 802, 803).

(b) **IDENTIFICATION OF FUNDS TO TRANSFER.**—Not later than 30 days after the date of enactment of this Act, the Secretary of the Treasury shall identify unobligated covered funds that the Secretary determines appropriate for transfer to the Administrator of the United States Fire Administration under subsection (c).

(c) **TRANSFER.**—Effective on the date that is 60 days after the date of enactment of this Act, the unobligated covered funds identified by the Secretary of the Treasury under subsection (b) shall be transferred to and merged with other amounts made available to the Administrator of the United States Fire Administration to carry out section 17(g)(1)(N) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2216(g)(1)(N)).

(d) **AVAILABILITY AND USE.**—Amounts transferred under subsection (c) shall remain available until expended.

**AUTHORITY FOR COMMITTEES TO MEET**

Mr. KAINE. Madam President, I have six requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority Leaders.